

Message

From: Azad, Ava [Azad.Ava@epa.gov]
Sent: 12/14/2020 6:02:45 PM
To: Fong, YvonneW [Fong.YvonneW@epa.gov]
CC: Chesnutt, John [Chesnutt.John@epa.gov]; Huang, Judy [Huang.Judy@epa.gov]; Fairbanks, Brianna [Fairbanks.Brianna@epa.gov]
Subject: RE: HP Dispute 3-Month Check-In
Attachments: Dispute timelines memo final signed 9-30-20.pdf; FFA dispute 3-month check-in template final 11-18-20.pdf

Hi all,

Thanks for your messages, Brianna and Yvonne. Yvonne, attached is a memo describing the purpose of this 3-month check-in and the questions I referenced in my message that I will walk us through during our call.

Since Judy is out, I will schedule the call for early next year.

If I don't talk to you before then, happy holidays and New Year!

Thanks,
Ava

Ava Azad
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From: Fong, YvonneW <Fong.YvonneW@epa.gov>
Sent: Friday, December 11, 2020 9:48 PM
To: Azad, Ava <Azad.Ava@epa.gov>
Cc: Chesnutt, John <Chesnutt.John@epa.gov>; Huang, Judy <Huang.Judy@epa.gov>; Fairbanks, Brianna <Fairbanks.Brianna@epa.gov>
Subject: RE: HP Dispute 3-Month Check-In

Hello Ava,

I'm available to participate in this check-in. Could you please forward the questions from the attachment you mentioned in your email to Brianna.

With regard to scheduling, I am working through December 21st and then not back until January 4th. Judy is already out for the year.

Thank you,
Yvonne



Yvonne Fong, Remedial Project Manager · US EPA Region 9, Superfund Division · 75 Hawthorne St (SFD-83), San Francisco, CA 94105 · (415) 947-4117

From: Fairbanks, Brianna <Fairbanks.Brianna@epa.gov>
Sent: Friday, December 11, 2020 5:48 PM
To: Azad, Ava <Azad.Ava@epa.gov>; Chesnutt, John <Chesnutt.John@epa.gov>; Fong, YvonneW <Fong.YvonneW@epa.gov>; Huang, Judy <Huang.Judy@epa.gov>
Subject: RE: HP Dispute 3-Month Check-In

Hi Ava –

Ex. 5 Deliberative Process (DP)

Thanks,

Brianna

From: Azad, Ava <Azad.Ava@epa.gov>
Sent: Friday, December 11, 2020 4:56 PM
To: Fairbanks, Brianna <Fairbanks.Brianna@epa.gov>
Subject: HP Dispute 3-Month Check-In

Hi Brianna,

Ex. 5 Deliberative Process (DP)

Let me know if you have any questions.

Thanks,
Ava

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From: Leff, Karin <Leff.Karin@epa.gov>
Sent: Thursday, November 19, 2020 1:27 PM
To: OLEM SF Reg DDs <OLEMSFRegDDs@epa.gov>; Regional Counsels and Deputies <Regional.Counsels.and.Deputies@epa.gov>
Cc: OECA-FFEO <OECAFFEO@epa.gov>; OLEM FFRRO FFLC <OLEM_FFRRO_FFLC@epa.gov>; OLEM Federal Facilities Forum <OLEMFederalFacilitiesForum@epa.gov>; OLEM FFRRO <OSWER_FFRRO@epa.gov>; Williamson, Timothy <Williamson.Tim@epa.gov>; Jerison, Joanna <Jerison.Joanna@epa.gov>; Villatora, Liliana <Villatora.Liliana@epa.gov>; Feinmark, Phyllis <Feinmark.Phyllis@epa.gov>; Sawyer, William <Sawyer.William@epa.gov>; Flanagan, Sarah <Flanagan.Sarah@epa.gov>; Lieber, Thomas <Lieber.Thomas@epa.gov>; Briggs-Steuteville, Sheila <Briggs-Steuteville.Sheila@epa.gov>; Parent, Suzanne <Parent.Suzanne@epa.gov>; Swan, Russell <Swan.Russell@epa.gov>; Rivera, Nina <Rivera.Nina@epa.gov>; Hansen, Susan <Hansen.Susan@epa.gov>; Johnson, MaryC <Johnson.MaryC@epa.gov>; Arrazola, Ignacio <arrazola.ignacio@epa.gov>; Travis, Pamela <Travis.Pamela@epa.gov>; McDonald, Scott <mcdonald.scott@epa.gov>; Murdock, Russell <Murdock.Russell@epa.gov>; Hoefer, David <Hoefer.David@epa.gov>; Breedlove, Dan <Breedlove.Dan@epa.gov>; Chen, Alexander <Chen.Alex@epa.gov>; Weekley, Erin <weekley.erin@epa.gov>; Thompson, Christopher <Thompson.Christopher@epa.gov>; Joffe, Brian <Joffe.Brian@epa.gov>; Terada, Calvin <Terada.Calvin@epa.gov>; McFadden, Kelly <McFadden.Kelly@epa.gov>; Ingemansen, Dean <Ingemansen.Dean@epa.gov>
Subject: Next steps: Implementing 9/30/20 memo on Federal Facility Agreement Disputes

On Sept. 30, 2020, Greg and I distributed the memorandum "Updated Procedures for Tracking and Resolving Federal Facility Agreement Informal and Formal Disputes in a Timely Manner" (attached here). In that memo, we asked that the Regions keep HQ informed as federal facility site disagreements develop into disputes, and explained that FFEO and FFRRO staff would begin scheduling information-gathering sessions with the Regions about federal facility sites where a dispute had been ongoing without resolution or elevation for three months or more. We are starting to schedule these sessions. The purpose of this message is to provide you information on what you and your staff can expect during these discussions.

FFEO staff, FFRRO staff, the RPM, and the site attorney will be invited to those sessions; other attendees should be added as appropriate. During each session, FFEO and FFRRO will pose a series of questions to the Region to better understand the drivers behind the dispute and determine what assistance HQ may be able to offer.

The questions that HQ will ask are being provided in advance as an attachment to this email. The Regions are not being asked to provide a formal written report to HQ on each dispute, nor are they expected to fill out the questionnaire themselves. Instead, FFEO (with assistance from FFRRO) will compile the answers to these questions during the

discussion. We expect the conversations to be relatively informal and to take no more than 30-40 minutes (complex sites or sites with multiple disputes may, of course, take longer). We look forward to working with you and continuing to strategize and problem solve to move these disputes toward resolution.

Sincerely,

Karin Leff and Greg Gervais

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